

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM LEROY LENZ,

Defendant.

CASE NO. CR19-198-JLR

ORDER CONTINUING
TRIAL DATE

THIS COURT, having considered the Joint Motion of the United States and the Defendant for a continuance of the trial date and the facts set forth therein, and General Order 08-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease as well as the lack of the type of personal protective equipment necessary to ensure the health and safety of all participants it is not possible at this time to proceed with a jury trial.
2. Further, because of the recommendations that individuals at higher risk of contracting this disease—including individuals with underlying health conditions,

1 individuals age 60 and older, and individuals who are pregnant—avoid large
2 groups of people, at this time it would be difficult, if not impossible, to get a jury
3 pool that would represent a fair cross section of the community. Based on the
4 recommendations it would also be medically inadvisable to do so.

- 5 3. The parties have reached a plea agreement, but the defendant has not consented to
6 permit this Court to take his plea via video teleconference or telephone
7 conference. *See* CARES Act, § 15002(b)(4) (“Video teleconferencing or
8 telephone conferencing . . . may only take place with the consent of the defendant
9 . . . after consultation with counsel.”). Under the current trial schedule, if the
10 defendant were to decide not to plead guilty after this Court reopens, it would
11 deny counsel for the defendant the reasonable time necessary for effective
12 preparation for his trial.
- 13 4. As a result, the failure to grant a continuance of the trial date in this case would
14 likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A),
15 the ends of justice served by continuing the trial in this case outweighs the best
16 interest of the public and the defendant to a speedy trial.

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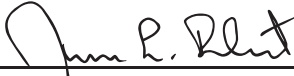
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1 IT IS THEREFORE ORDERED that the trial date be continued until October 5, 2020,
2 and that pretrial motions shall be filed no later than September 3, 2020.

3 IT IS FURTHER ORDERED that the period time from the date of this order up to
4 and including October 5, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161.

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7 Dated this 19th day of June, 2020.

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10 
11 JAMES L. ROBART
12 United States District Judge

13 Presented by:

14 s/ William Dreher
15 WILLIAM DREHER
16 Assistant United States Attorney
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